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Mohan P. Rao, Ph.D.

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Summary

Dr. Rao is a Director at LECG and an Adjunct Professor at the McCormick School of Engineering and Applied Science at Northwestern University. He specializes in intellectual property, antitrust economics, and economic analysis in complex commercial disputes. His intellectual property expertise includes valuation, technology and market assessment, business strategy, and the interplay between intellectual property and antitrust. He has evaluated commercial success of patented products, including in ANDA actions involving pharmaceuticals. His expertise also includes economic analysis of antitrust liability, class certification issues, and the design and analysis of surveys. Dr. Rao has calculated economic damages in a wide range of cases, including patent and trademark infringement, antitrust, financial markets litigation, employment litigation, and breach of contract. Dr. Rao has served as an expert in U.S. Courts and in arbitration proceedings.

Dr. Rao teaches finance at Northwestern University and has previously taught Ph.D.-level econometrics, among other courses, as a professor at UCLA. He also teaches courses on valuing intellectual property at the Licensing Executives Society. Dr. Rao is an author of the chapter on econometric analysis in the *Litigation Services Handbook*, a leading reference for economic and financial experts. He is the Chair of the Valuation and Taxation Committee of the Licensing Executives Society.





Education

- B.S. (Engineering), 1989, **University of Michigan**
- Pre-Doctoral Fellow, 1993–1994, **Harvard University**
- Ph.D.; M.A. (Economics; Int'l Relations), 1994, **University of Colorado**

Academic and Professional Experience

- **LECG**
Director, 2005–present
- **Northwestern University**
McCormick School of Engineering and Applied Science
Adjunct Professor, 2006–present
- **Charles River Associates / InteCap, Inc.**
Vice President, CRA, 2004–2005
Managing Director, InteCap, 2004–2005
Director, InteCap, 2000–2003
- **University of California, Los Angeles**
Assistant Professor, 1994–2001
- **Harvard University**
Fellow, Government Data Center, 1993–1994
Teaching Fellow, 1993–1994

Selected Fellowships and Awards

- Cooley Award, University of Michigan College of Engineering
- Government Data Center Fellowship, Harvard University
- David Cattell Fellowship, UCLA
- Faculty Career Development Award, UCLA

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Selected Affiliations

- Member, American Economic Association
- Member, Licensing Executives Society
- Member, Institute of Electrical and Electronics Engineers (IEEE)

Expert Testimony

1. **Church & Dwight Co., Inc. v. Abbott Laboratories**
U.S. District Court – District of New Jersey
Civil Action No. 05 CV 2142 (GEB)
Patent infringement
2. **Boehringer Ingelheim International GmbH and Boehringer Ingelheim Pharmaceuticals, Inc. v. Barr Laboratories Inc.**
U.S. District Court – District of Delaware
C.A. No. 05-700-(KAJ)
Patent infringement
3. **The Dow Chemical Company v. Shell Oil Company**
Circuit Court of Cook County, Illinois (County Department, Law Division)
Civil Action No.: 00L13873
Breach of Contract
4. **Fresenius Medical Care Holdings, Inc. and Nabi Biopharmaceuticals, Inc. v. Roxane Laboratories, Inc.**
U.S. District Court – Southern District of Ohio (Eastern Division)
Case No.: C2 05 889
Antitrust; Patent infringement
5. **Dyson Technology Limited and Dyson, Inc. v. Maytag Corporation**
U.S. District Court – District of Delaware
Civil Action No.: 05-434-GMS
False advertising
6. **Casmier Bobak and Jeanette Bobak v. The City of Chicago et al.**
Circuit Court of Cook County, Illinois (County Department, Law Division)
Case No.: 02 L 6981
Employment litigation



7. **Shuffle Master, Inc. v. Yehia Awada and Gaming Entertainment, Inc.**
U.S. District Court – Northern District of Illinois (Eastern Division)
Case No.: CV-S-05-1112-RCJ-RJJ
Antitrust; Patent infringement
8. **Schering-Plough, Ltd. v. Centocor, Inc.**
American Arbitration Association
AAA No.: 50 181 T 00350 05 (Judge Edward N. Cahn)
Breach of contract
9. **Christopher Boyle et al. v. Advanced Bio Prosthetic Surfaces, Ltd., ABPS Management, L.L.C., et al.**
American Arbitration Association
AAA No.: 70 180 Y 00655 04
Breach of contract; Reasonable Royalty
10. **Kevin Trudeau and Direct Response Associates LLC v. George Lanoue, Janice Lanoue, Phoenix Marketing Group, and Trudeau Online**
U.S. District Court – Northern District of Illinois (Eastern Division)
04C-7165
Trademark infringement
11. **Diodem, LLC v. Biolase Technology, Inc. et al.**
U.S. District Court – Central Division of California (Western Division)
CV-03-2142 GAF (RCx)
Patent infringement; Reasonable Royalty
12. **Federal Trade Commission v. Mercury Marketing of Delaware, Inc. et al.**
On behalf of: **Mercantile Capital LLC**
U.S. District Court – Eastern District of Pennsylvania
C.A. No. 00-CV-3281 (Judge Clifford Scott Green)
False Advertising
13. **Pfizer, Inc., Warner Lambert Company et al. v. Ranbaxy Laboratories Limited et al.**
U.S. District Court – District of Delaware
Case No.: 03-209-JJF (Judge Joseph J. Farnan, Jr.)
Patent infringement
14. **ATI Systems, Inc. v. PECO Energy Company**
American Arbitration Association
AAA No.: 14 117 00892 03 (Judge John J. Gibbons)
Breach of contract; Reasonable Royalty



15. **In re Relafen Antitrust Litigation**
Eon Labs, Inc. v. GlaxoSmithKline PLC et al.
U.S. District Court – District of Massachusetts
Master File No.: 01-12239-WGY; Civil Action No.: 03-10506-WGY
Patent infringement; Antitrust
16. **Block Drug Company, Inc. v. AccuMed, Inc. et al.**
U.S. District Court – District of New Jersey
Civil Action No.: 01-CV-4187 (KSH)
Patent infringement
17. **Kevin Erion Racing Inc. v. Two Brothers Racing et al.**
U.S. District Court – Central District of California (Southern Division)
Case No.: SACV 01-176 GLT(MLGx)
Trademark infringement
18. **FIPCOM v. Philips Electronics N.V.**
European Commission
Antitrust; Reasonable Royalty
19. **GLOBEtrotter Software Inc. v. Rainbow Technologies Inc.**
U.S. District Court – Northern District of California
Consolidated Case No.: C-98-20419 JF
Patent infringement; Antitrust
20. **Maxwell Productions, L.L.C. v. Sony Electronics, Inc.**
U.S. District Court – District of Arizona
Case No: CIV 01 1112 PHX LOA
Breach of contract
21. **M2 Software, Inc. v. Madacy Entertainment et al.**
U.S. District Court – Central District of California
Case No.: 00-2853 LGB (AIJx)
Trademark infringement
22. **WomonCare, P.C. v. Mercy Medical Center et al.**
U.S. District Court – District of Oregon
Case No.: CV 6260-HO
Antitrust



Preprints and Publications

1. "Econometric Analysis," *Litigation Services Handbook: The Role of the Financial Expert*, Fourth Edition, Roman L. Weil, Michael J. Wagner, and Peter B. Frank, Editors, New York: John Wiley, 2007 (with Christian Tregillis).
2. "A Primer on Trademarks and Trademark Valuation," *Economic Damages in Intellectual Property*, Daniel Slottje, Editor, New York: John Wiley, 2006 (with Michaelyn Corbett and David Teece).
3. "What Experts Should Fear Most," *Expert Alert*, Vol. 1, No. 1, Winter 2005, American Bar Association (with John Bone).
4. "Econometric Analysis," *Litigation Services Handbook: The Role of the Financial Expert*, 2003 Supplement, Roman L. Weil, Michael J. Wagner, and Peter B. Frank, Editors, New York: John Wiley, 2004 (with Christian Tregillis).
5. "Inferring Micro- from Macrolevel Change: Ecological Panel Inference in Surveys." Working Paper, UCLA and New York University, 2001 (with Alexander A. Schuessler).
6. "The Dynamics of the Democratic Peace," *Journal of Conflict Resolution*, Vol. 45(6), p. 818-833, 2001 (with Lars-Erik Cederman).
7. "Intellectual Property Protection Improves as India Implements the TRIPS Agreement," *India Business & Investment Report*, June 2000.
8. "TRIPS and Global Trade in Pharmaceuticals," Working paper, UCLA, 2000.
9. "Democratie et Commerce International," *Arès*, Vol. XVIII(46), November 2000 (with Michael D. Ward).
10. "Intellectual Property Rights and Foreign Direct Investment," Working paper, UCLA, 1998 (with Keith Maskus).
11. "Indian Defense Expenditures in a Changed Global Security Environment." *International Studies*, 1998.
12. "The Strategic Design of Trade Policy Outcomes," Working paper, UCLA, 1997 (with Susanne Lohmann).
13. "Patents and International Trade: An Empirical Study." In Robert M. Stern, Edward E. Leamer, and Keith E. Maskus, editors, *Quiet Pioneering*. Ann Arbor: University of Michigan Press, 1997 (with Keith E. Maskus).
14. "Market Openness and Trade Conflict," Working paper, UCLA, 1996.



15. "How Trade-Related are Intellectual Property Rights?" *Journal of International Economics*, Vol. 39, p. 227–248, 1995 (with Keith E. Maskus).
16. "Guns and Growth Around the Globe." *International Interactions*, Vol. 21(2), p. 181–201, 1995 (with Michael D. Ward et al).
17. "North American Trade in the Post Debt Crises Era." In Khosrow Fatemi, editor, *North American Free Trade Agreement: Opportunities and Challenges*. London: Macmillan, 1993, p. 84–97 (with Barry W. Poulson).
18. "Canons et croissance dans le monde," *Arès*, Vol. XIV(4), p. 15–31, 1993 (with Michael D. Ward).
19. "Economic Growth, Investment, and Military Spending in India." In Steve Chan and Alex Mintz, editors, *Defense, Welfare, and Growth*. London: Routledge, 1992, p. 119–136 (with Michael D. Ward et al).
20. "Military Spending in India." *Defence Economics*, Vol. 3, p. 41–64, 1991 (with Michael D. Ward et al).

Presentations and Speeches

1. "Economic Analysis in Class Actions," Seminar on Innovative Strategies for Litigating Class Actions, Law Seminars International, Los Angeles, California, November 12–13, 2007.
2. Recent Key Developments in Intellectual Property Law and Applicability at the Global Level, XPRT Forum, Sonoma, California, October 3–6, 2007.
3. Effective Development and Presentation of Expert Testimony, Law Seminars International, Chicago, Illinois, September 24–25, 2007 (co-chair w/ Alan Silberman).
4. "Intellectual Asset Management: Valuation," a Professional Development Series Intermediate Course, Licensing Executives Society, Chicago, July 10, 2007.
5. "Intellectual Asset Management: Advanced Valuation Skills," a Professional Development Series Advanced Course, Licensing Executives Society, Philadelphia, June 13–14, 2007.
6. "Intellectual Asset Management: Valuation," a Professional Development Series Intermediate Course, Licensing Executives Society, Philadelphia, March 13, 2007.

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7. "Intellectual Asset Management: Advanced Valuation Skills," a Professional Development Series Advanced Course, Licensing Executives Society, San Francisco, November 1-2, 2006.
8. "Implementing Valuation Methods," a Professional Development Series Intermediate Workshop at the Annual Meetings of the Licensing Executives Society, New York, September 12, 2006.
9. "Intellectual Asset Management: Valuation," a Professional Development Series Intermediate Course, Licensing Executives Society, San Francisco, April 25, 2006.
10. Effective Development and Presentation of Expert Testimony, Law Seminars International, Chicago, Illinois, March 20-21, 2006 (co-chair w/ Alan Silberman).
11. "Lost Profits When the Patent is Only Part of the Whole," Seminar on Calculating and Proving Patent Damages, Law Seminars International, San Francisco, California, February 27-28, 2006.
12. "The Use and Misuse of Statistics," The American Institute of Certified Public Accountants, Jersey City, New Jersey, December 2, 2005.
13. "Use of Statistics in IP Litigation" Presentation to McAndrews, Held & Malloy, Chicago, December 1, 2005.
14. "Intellectual Asset Management: The Deal," a Professional Development Series Fundamentals Course, Licensing Executives Society, Arlington, Virginia, November 8-9, 2005.
15. "Implementing Valuation Methods," a Professional Development Series Intermediate Workshop at the Annual Meetings of the Licensing Executives Society, Phoenix, October 18, 2005.
16. "Damages and Antitrust Issues in Intellectual Property Litigation" Presentation to Dykema Gossett, Chicago, July 21, 2005 (w/ Kathi Kedrowski).
17. "Intellectual Asset Management: Valuation," a Professional Development Series Intermediate Course, Licensing Executives Society, Chicago, July 19, 2005.
18. "Implementing Valuation Methods," a Professional Development Series Intermediate Workshop at the Annual Meetings of the Licensing Executives Society, Boston, October 17, 2004.
19. "Use of Surveys and Statistics in Litigation," Workshop at the Advanced Business Litigation Institute, Palm Springs, May 9, 2003.

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20. "Real Option Valuation," Presented at the 2002 Winter Meeting of the Licensing Executives Society, Lake Las Vegas, February 14, 2002.
21. "Networked Computer Simulations," CyberSpace@UCLA, UCLA Anderson School of Management, Los Angeles, May 2, 2002.
22. "Improving IP Financial Performance." Presentation to Jones, Day, Reavis & Pogue, Los Angeles, June 20, 2001 (w/ David Haas).
23. "Intellectual Property: The New Global Currency," Jacob Marschak Colloquium, UCLA Anderson School of Management, June 8, 2001.
24. "Commerce and Democracy." Presented at the conference on Spatial Analysis for Political Methodology, University of Colorado, Boulder, March 2000.
25. "Determinants of International Trade Flows in an Era of Globalization." Presented at the UCLA Conference on International Institutions, Lake Arrowhead, February 2000.
26. "Exploring the Dynamics of Interstate Conflict." Presented at the Meetings of the International Studies Association, Des Moines, Iowa, October 1999.
27. "Exploring the Dynamics of Interstate Conflict." Presented at the UCLA Conference on Norms in International Relations, Los Angeles, October 1999.
28. "Globalization and the Decline of Power Politics." Presented at the Annual Meetings of the APSA, Atlanta, September 1999.
29. "Inferring Micro- from Macrolevel Change." Presented at the Annual Meetings of the MPSA, Chicago, April 1998 (with Alexander A. Schuessler).
30. "Overtime Inference in Cross Sectional Surveys." Presented at California Institute of Technology, November 7, 1997.
31. "Overtime Inference in Cross Sectional Surveys." Presented at UCLA, October 8, 1997.
32. "Ecological Inference in Cross Sectional Surveys." Presented at the Annual Meetings of the APSA, Washington, D.C., August 1997 (with Alexander A. Schuessler).
33. "Governance in a Multinational World." Presented at the Workshop on Global and Regional Governance, Institute of Global Conflict and Cooperation, UC San Diego, May 1997.
34. "The Strategic Design of Trade Policy Outcomes: The Politics of Section 301." Presented at the Annual Meetings of the APSA, San Francisco, August 1996

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(with Susanne Lohmann).

35. "Polarization and Political Violence." Presented at the Summer Methods Conference, Ann Arbor, Michigan, July 1996 (with Patrick Asea).
36. "How Trade-Related are Intellectual Property Rights?" Presented at the International Economics Workshop, UCLA, April 3, 1996.
37. "The Politics of Section 301: Institutional Design and Policy Outcomes." Presented at the Annual Meetings of the International Studies Association, San Diego, March 1996 (with Susanne Lohmann).
38. "Military Spending in India." Presented at the Conference on Security in South Asia, Jawaharlal Nehru University, New Delhi, January 1996.
39. "Patents, Trade, and Foreign Direct Investment." Presented at the Annual Meetings of the Allied Social Science Associations, San Francisco, January 1996 (with Keith E. Maskus).
40. "Forecasting the Collapse of the Soviet Union." Presented at the Annual Meetings of the Peace Science Society International, Urbana-Champaign, November 1994 (with Michael D. Ward).
41. "Trade and Market Openness." Presented at the International Colloquium on Defining a New Partnership Between North America and Europe, Institute of Behavioral Science, Boulder, July 1994.
42. "Guns and Growth Around the World." Presented at the Annual Meetings of the International Studies Association, Washington, D.C., March 1994 (with Michael D. Ward).
43. "Trade and Patents: An Empirical Study." Presented at the National Bureau of Economic Research Universities Research Conference on International Trade Rules and Institutions, Cambridge, December 1993 (with Keith E. Maskus).
44. "The Trade Crises That Never Happened." Presented at the 6th Hispanic Symposium on Business and the Economy, Boulder, October 1992 (with Barry W. Poulson).
45. "Export Orientation and Economic Growth: Stylized Facts for Select Developing Countries." Presented at the Annual Meetings of the International Studies Association, Atlanta, April 1992 (with David R. Davis).